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ENDORSED  
FILED

10 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
11 **COUNTY OF ALAMEDA**  
12 **COUNTY OF ALAMEDA**

JAN 31 2005

CLERK OF THE SUPERIOR COURT  
By Alphonsine Oatis, Deputy

13 MARGARET FARRELL,  
14

Plaintiff,

No. RG 03079344

15 v.

16 WALTER ALLEN III, Director,  
17 California Youth Authority,

18 Defendant.  
19

**STIPULATION REGARDING  
CALIFORNIA YOUTH  
AUTHORITY REMEDIAL  
EFFORTS**

20 Since the entry of the Consent Decree in this case, the CYA has implemented  
21 interim measures to address deficiencies identified in the expert reports and has drafted  
22 proposed Remedial Plans in consultation with the experts, plaintiff's counsel, and the  
23 Special Master. The CYA has also undertaken a review of practices in other systems. As  
24 a result, the CYA has committed to reforming California's juvenile system to a  
25 rehabilitative model based on a therapeutic environment. The parties agree that the  
26 Remedial Plans are dependent on the new system and therefore cannot be submitted in  
27  
28

1 accordance with the schedule set forth in the Consent Decree. Therefore, IT IS HEREBY  
2 STIPULATED by and through counsel for the parties that:

3 1. Defendant shall file with the court:

4	Medical Care Interim Plan:	February 4, 2005
5	Education Remedial Plan:	March 1, 2005
6	Mental Health Care Interim Plan:	April 8, 2005
7	Disabilities Remedial Plan:	May 2, 2005
8	Sex Offender Treatment Remedial Plan:	May 2, 2005
9	Ward Safety & Welfare (formerly General Corrections) Remedial Plan:	
10		November 30, 2005

11 2. Defendant shall implement the following immediate steps:

12 a. By February 15, 2005, the CYA will develop a plan and by March 1,  
13 2005, will begin implementation to institute an open programming model at N.A.  
14 Chaderjian Youth Correctional Facility and Heman G. Stark Youth Correctional Facility  
15 to end their lockdown model and restore safe general population programming and to  
16 ensure that wards are out of their rooms/cells daily for educational, vocational, and  
17 treatment programming as well as meals and recreation. Implementation is expected to be  
18 complete by June 1, 2005.

19 b. CYA staff, while implementing the open programming model, will  
20 identify wards most at risk of committing violent acts and separate them from the wards  
21 most vulnerable to attack.

22 c. By May 2, 2005, the CYA shall extend the open programming model to  
23 all other institutions.

24 d. By March 1, 2005, the CYA will modify its lockdown protocol to  
25 minimize the use of lockdowns through direct intervention by staff.

26 e. By February 15, 2005, the CYA shall implement clear policies and  
27

1 procedures to ensure that wards on the Special Management Programs are provided  
2 access to educational, treatment, and other services outside their cells on a daily basis.

3 f. By April 1, 2005, the CYA will replace the phase system with a ward  
4 incentive plan to encourage positive programming through positive reinforcement. The  
5 plan shall be fully implemented by June 1.

6 g. By April 1, 2005, the CYA will eliminate the use of temporary detention  
7 for punishment.

8 3. Defendant is in the process of interviewing and shall hire by March 1, 2005, a  
9 consultant with expertise in the custodial treatment of juvenile offenders, to be approved  
10 by plaintiff's counsel.

11 4. By May 2, 2005, Defendant shall submit a programmatic description of the  
12 rehabilitative model chosen for the CYA. The plan to transform the CYA to this  
13 rehabilitative model (the Ward Safety and Welfare Remedial Plan) shall be submitted by  
14 November 30, 2005. The planning for such a transition will be developed in consultation  
15 with the consultant hired pursuant to Paragraph 3, plaintiff's counsel, the Special Master,  
16 and the experts in the case.

17 5. The transition plan described in Paragraph 4 shall be consistent with the  
18 following principles:

19 a. Programs must be designed to provide habilitation/rehabilitation and  
20 success in the community.

21 b. When reasonably possible and consistent with delivery of specialized  
22 programs, youth must be placed in the facility closest to their homes. All treatment  
23 services must be designed to include families, except where neither practical nor  
24 determined to be consistent with treatment goals.

25 c. Youth must be assigned to facilities and programs based on age, risk and  
26 needs assessments, and other appropriate factors.

1 d. Facilities and programs should maximize youth/staff interaction, with  
2 living units and staffing ratios that permit adequate supervision and intervention.

3 e. Facilities and living units should provide a safe and supportive  
4 environment that promotes rehabilitative goals.

5 f. The CYA shall emphasize positive reinforcement rather than punitive  
6 disciplinary measures.

7 g. Lockup may be used only as a temporary intervention in emergencies or  
8 as a last resort.

9 h. All staff that supervise wards must be qualified and will be required to  
10 provide rehabilitative and treatment services. They must be provided with the training  
11 and support they need to succeed in their jobs.

12 i. To the extent feasible, programs should be based on evidence and/or best  
13 practices, or shall be evaluated for effectiveness.


14 j. Transition planning for successful reintegration must be provided to  
15 wards prior to release to the community.

16 6. The parties and the Special Master shall meet every 30 days to review the  
17 remedial process.

18 Dated: 1/31/05

  
SARA NORMAN  
Attorney for Plaintiff

21 Dated: 1/30/05

  
MONICA ANDERSON  
Deputy Attorney General  
Attorney for Defendant